

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SADAM JHALID ALI AL SAIDI, and 1681 Deli  
Grocery Corp.,

Plaintiffs,

-against-

UNITED STATES OF AMERICA, UNITED  
STATES DEPARTMENT OF AGRICULTURE, and  
FOOD AND NUTRITION SERVICE,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 3/9/2021

1:21-cv-1978-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On March 7, 2021, Plaintiffs filed the Complaint and an Emergency Motion for Preliminary Injunction to stay their disqualification from participating in the Supplemental Nutrition Assistance Program. [ECF Nos. 1–2.]

Local Civil Rule 7.1 provides, in relevant part, that “all motions shall include,” *inter alia*, “[a] memorandum of law, setting forth the cases and other authorities relied upon in support of the motion.” Local Civil Rule 7.1(a)(2). Plaintiffs have failed to submit a memorandum of law with their Emergency Motion. [See ECF No. 2.] This defect, “standing alone, is sufficient cause for granting or denying a motion.” *Avillan v. Donahoe*, No. 13 CV 509, 2015 WL 728169, at \*6 (S.D.N.Y. Feb. 19, 2015) (quoting *Wenzhou Wanli Food Co., Ltd. v. Hop Chong Trading Co., Inc.*, No. 98 CIV 5045 JFK, 84191, 2000 EL 964944, at \*3 (S.D.N.Y. July 11, 2000)); *see, e.g.*, *Fashion.tv.com GmbH v. Olic*, No. 06 Civ. 3200(GBD)(KNF), 2007 WL 2600864, at \*1 (S.D.N.Y. Aug. 28, 2007) (denying motion under Local Civil Rule 7.1 for failure to submit memorandum of law); *Toner v. United Bhd. of Carpenters*, No. 96CIV.0023(SHS)RLE, 1999 WL 178784, at \*1 (S.D.N.Y. Mar. 31, 1999) (same).

Accordingly, Plaintiffs' Emergency Motion is DENIED without prejudice and with leave to refile a proper application in compliance with Local Civil Rule 7.1.

The Clerk of Court is respectfully requested to terminate docket entry 2.

**SO ORDERED.**

**Date: March 9, 2021**  
**New York, NY**

*Mary Kay Vyskocil*  
MARY KAY VYSKOCIL  
United States District Judge